



City of Austin

Founded by Congress, Republic of Texas, 1839
Watershed Protection Department
P.O. Box 1088, Austin, Texas 78767

December 8, 2014

Mr. Lucas J. Short, P.E.
Transportation Engineer
Texas Department of Transportation Austin District
P.O. Drawer 15426
Austin, Texas 78761-5426

RE: City of Austin Comments on State Highway 45 Southwest DEIS
Supplemental Technical Reports

Dear Mr. Short:

The City of Austin (the City) Watershed Protection Department and Austin Water Utility Wildlands Division have reviewed the four technical reports that were issued as supplements to the State Highway 45 Southwest (SH45 SW) Draft Environmental Impact Statement (DEIS). Because three of these documents were available on November 7th and one after November 12th, a sufficient time period for review was not provided for such highly technical material. Only the first three were published as available in the Texas Register. Given the long history of the project and the importance of completing it in the most environmentally protective manner, this short review period was disappointing. Regardless, comments on each of these documents are attached.

I would like to acknowledge and express appreciation that TxDOT have been responsive to some of the City's previous comments on the DEIS. However, in broad terms, our comments on the supplemental technical reports are similar to those that the City submitted in August 2014 on the 2014 DEIS. In our view, the analyses presented in the reports fall short of the level of scientific rigor and documentation that we believe is necessary to fully evaluate potential environmental impacts associated with the project and that which is necessary to develop effective measures to avoid, minimize, and mitigate impacts. Unfortunately, the supplemental reports do not adequately address the deficiencies listed in our previous comments on the DEIS

A particular concern is that the EIS will be finalized and a Record of Decision issued prior to the completion of the City's current investigation of the subsurface drainage into and around Flint Ridge Cave. While we agree that measures are being proposed to avoid or minimize potential adverse impacts to the cave, we continue to believe that the additional information being developed through this study is necessary to attain a high degree of confidence in a Finding of No Significant Impact (FONSI) to this sensitive environmental feature. If the DEIS results in a FONSI the City requests assurance that the best available scientific information, including the results of the City's current study, will be considered during the design of the project, and subsequently during construction and operation.

While the City does not believe that the DEIS, including the supplemental reports, justify a FONSI, as a "participating agency" in the environmental review process we appreciate the degree of collaboration that has developed between the City, TxDOT, and CTRMA on this project, as well as other projects that are under development in the Austin area. We look forward to continuing that collaboration beyond the environmental review process.

If you have any questions concerning the attached comments, please do not hesitate to contact me at chuck.lesniak@austintexas.gov or at (512) 974-2699.

Sincerely,

A handwritten signature in black ink, appearing to read 'C L L', with a stylized flourish at the end.

Chuck Lesniak, Environmental Officer
Watershed Protection Department

cc: Carlos Swonke, Texas Department of Transportation
Sean Beal, Central Texas Regional Mobility Authority
Sue Edwards, Assistant City Manager
Robert Goode, P.E. Assistant City Manager
Victoria J. Li, P.E., Director, Watershed Protection Department
Rob Spillar, P.E., Director, Austin Transportation Department